

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

ELSA ANCHONDO,
on behalf of herself and all others
similarly situated,

Plaintiff,

No. 08-CV-202 RB/WPL

v.

ANDERSON, CRENSHAW
& ASSOCIATES LLC,

Defendant.

**SUPPLEMENTAL DECLARATION OF ROB TREINEN IN SUPPORT OF
PLAINTIFF'S MOTION FOR AWARD OF ATTORNEY FEES AND COSTS**

I, Rob Treinen, declare under penalty of perjury, as provided for by the laws of the United States, 28 U.S.C. § 1746, that the following statements are true:

1. I am a partner with the four lawyer firm, Feferman Treinen & Warren PA, of Albuquerque, New Mexico, that represents Plaintiff Elsa Anchondo and the class, along with O. Randolph Bragg of Horwitz, Horwitz & Associates, of Chicago, Illinois.
2. I provide this declaration in supplement to an earlier declaration that I provided concerning Plaintiff's motion for award of attorney fees and costs in this lawsuit.
3. Since the date of my last entry on the time and cost record that I earlier provided, I have expended a total of 15.1 additional hours in this lawsuit. I have attached to this declaration my firm's time and cost record that shows this additional time.
4. These time entries were recorded contemporaneously.
5. I seek a \$195 hourly rate for this attorney time. I refer the Court to the briefing in this matter and to my earlier declaration for proof and legal support for the reasonableness of

this hourly rate.

6. The lodestar calculation for my additional time is \$2,944.50 (15.1 hours x \$195 hourly rate).
7. My firm seeks the gross receipt taxes on these fees in the amount of \$201.87. I refer the Court to the briefing in this matter and to my earlier declaration for proof and legal support for the reasonableness of these taxes.
8. My firm also seeks \$39.15 in supplemental costs, as reflected in the time and cost record that is attached to this declaration. I refer the Court to the briefing in this matter and to my earlier declaration for proof and legal support for the reasonableness of these costs.
9. I am a custodian of records concerning my firm's time and cost records.
10. My firm's time and cost records are retained in electronic format, through the use of time-keeping software, via contemporaneous recordings of the entries.
11. These time and cost records are retained by my firm as a regular and customary part of the firm's business practices.
12. My firm and myself rely on the time and cost records retained by the firm to keep track of the firm's accounts receivable and other business matters.
13. My firm and myself find that these time and cost records contain accurate and reliable information.
14. The time and cost record that is attached to this declaration, as well as the time and expense record that is attached to prior declaration to which this declaration is a supplement, represents my firm's time and cost record for this lawsuit: *Anchondo v. Anderson, Crenshaw & Associates LLC*, No. 08-CV-202 (D. N.M.).

15. All the entries on the attached time and cost record were reasonably necessary to bring this lawsuit to a conclusion.
16. Combining the information contained in this declaration (and the attached time and cost record) with the information contained in my prior declaration in this matter (and the time and cost record attached to that declaration), the total attorney fees and costs that my firm is seeking in this lawsuit is \$38,793.33 (\$35,466 in attorney fees + \$2,436.55 in gross receipts tax + \$890.78 in costs).

Executed in Albuquerque, New Mexico, on December 10, 2009.



ROB TREINEN

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Elsa Anchondo
 Rio Rancho NM 87124

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 Account No: ANCHONDOCLAS
 Statement No: 102

FDCPA class action lawsuit against Anderson

Interim Statement

Fees

		Rate	Hours	
11/24/2009				
RT	Review ACA's response brief on fees, make notes for reply brief	195.00	0.90	175.50
RT	Email to Bragg re: arguments to make in reply brief in support of fee petition, logistics re: same	195.00	0.40	78.00
12/01/2009				
RT	Work on reply in support of fee petition	195.00	4.80	936.00
12/02/2009				
RT	Work on reply in support of fee petition	195.00	5.50	1,072.50
RT	Respond to email from Court re: 12/16 hearing	195.00	0.20	39.00
RT	Draft motion and order to allow extension of page limits for reply brief in support of motion for award of attorney fees and costs & fax and email same to opposing counsel	195.00	0.30	58.50
12/03/2009				
RT	Call to Bragg re: ACA's request for new demand on fees	195.00	0.10	19.50
12/04/2009				
RT	Revise reply brief in support of fee petition consistent with comments provided by Bragg	195.00	0.60	117.00
RT	Review orders and settlement agreement re: notice responsibilities of Notice Feedback Administrator; prepare appropriate notice for filing	195.00	0.60	117.00
12/07/2009				
RT	Call and emails to and from Dunn re: ACA's consent on motion to enlarge page limits for reply in support of motion for award of attorney fees and costs	195.00	0.20	39.00
RT	Prepare reply brief in support of motion for attorney			

Elsa Anchondo

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		Rate	Hours	
	fees and costs for filing, including assembling exhibits	195.00	0.20	39.00
12/08/2009				
RT	Dictate letter to ACA's counsel -- have not provided affidavit concerning notice by publication	195.00	0.10	19.50
RT	Email to Bragg re: Court's inquiry into necessity of fairness hearing	195.00	0.70	136.50
RT	Respond to email from Court re: necessity of fairness hearing	195.00	0.10	19.50
12/10/2009				
RT	Draft supp declaration	195.00	0.40	78.00
	For Current Services Rendered		15.10	2,944.50
	Sales Tax on Services			201.87
				0
	<u>Expenses</u>			
11/09/2009	Online research Lexis Nexis			27.90
12/07/2009	Postage First Class x 3			5.19
12/10/2009	Online research Lexis Nexis			6.06
	Total Expenses			39.15
	Total Current Work			3,185.52
	Balance Due			<u>\$3,185.52</u>

Draft Statement Run Totals 12/10/2009

Statements Printed:	1
Hours:	15.10
Fees:	2,944.50
Expenses:	39.15
Fee Sales Tax:	201.87
Exp Sales Tax:	0.41

	Rate	Taxed Fees	Fee Tax	Taxed Exps	Exp Tax	Taxed Advs	Adv Tax
(1)	6.7500	448.50	30.27	6.06	0.41		
(2)	6.8750	2,496.00	171.60				